

Exhibit 12

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2 Q And that part was not in when you first made out
3 this statement, is that correct?

4 A That's correct. Because if he had anything
5 additional to add, it would have been added there.

6 Q But it wasn't in when you read the statement to
7 Ramon?

8 A That's correct.

9 Q Now, were you the one who called the district
10 attorney's office to have him come down?

11 A No, I was not.

12 Q Were you present when the DAs office showed up?

13 A Yes.

14 Q And at about what time did representatives of the
15 DAs office show up?

16 A I'm not sure exactly what time they showed up. I
17 first encountered the DAs at the 20th Precinct after I was
18 finished at the Central Park Precinct.

19 Q So, they weren't at the Central Park Precinct?

20 A Well, I don't recall seeing them there.

21 Q First time you saw them was at the 20 Precinct, 20th
22 Precinct?

23 A That's correct.

24 Q And was this in the morning or in the afternoon that
25 you saw them?

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A This was in the evening.

Q And you have no recollection at about what time you saw them?

A No, I don't.

Q And who from the district attorney's office did you see at the precinct?

A I saw district attorney Linda Fairstein, district attorney Liz Lederer and district attorney Tim Clements.

Q Do you know who Linda Fairstein is in the hierarchy of the district attorney's office?

A Yes.

Q And who is she?

A She was the sex crimes senior trial lawyer for the DAs office.

Q Was she the chief of the sex crime unit for the DAs office?

A I'm not exactly sure what her rank was, but she held some position along those lines at that time.

Q She had a position within the district attorney's office, a high position within the DAs office, is that correct?

A Well, I would assume you would call it that, yeah.

Q And you saw them there on the evening of April the 20th, am I correct in that?

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2 A Yes.

3 Q And the job of a district attorney, the primary job
4 of the district attorney is to assist the police in getting a
5 statement from a defendant?

6 A That's not correct.

7 Q They assist the police in getting a video statement
8 from the defendant, is that correct?

9 A They did perform video statements, yes.

10 Q When you got the statement from Ramon Santana, you
11 didn't run out and call the DAs office and say we got a
12 statement from Defendant Santana, come on down so we can make
13 a video of it?

14 A Absolutely not.

15 Q You waited to get statements from all defendants
16 before you called the DAs office?

17 MR. CLEMENTS: Objection.

18 THE COURT: Objection sustained.

19 Q And so -- were you present when a video statement
20 was taken of Ramon Santana?

21 A Yes, I was.

22 Q And who else was present in the room?

23 A Ramon Santana, Ramon Santana, Sr., district attorney
24 Liz Lederer and detective Mike Sheehan.

25 Q And yourself, is that correct?

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2 A And myself.

3 Q And detective Sheehan is from the Manhattan North
4 Homicide?

5 A That's correct.

6 Q Did you escort Ramon into the video room?

7 A I don't recall. I don't believe I did. I don't
8 recall if I did escort him.

9 Q Did you at any point in time tell Ramon that they
10 were going to take a video statement of him?

11 A No, I don't recall.

12 Q When you finished questioning Ramon at 4:40 in the
13 afternoon, did you say Ramon, you got to wait around because
14 we're going to take a video statement of you?

15 A You got to what?

16 Q You have to wait around because we're going to take
17 a video statement of you?

18 A No, I didn't tell him that.

19 Q It was your testimony you went up and you gave a
20 statement that you took from Ramon Santana to one of the
21 supervisors, is that correct, detective supervisors?

22 A That's correct.

23 Q Was that detective supervisor Lieutenant Doyle?

24 A That's correct.

25 Q And this was the commanding officer of the homicide